

1 **Draft Proposal from the House Committee on Government Operations**
2 **and Military Affairs to the H.494 House Conferees**
3 **Concerning Secs. C.112 and C.113**
4 **(Public Safety Communications; Dispatch)**
5

6 Sec. C.112 PUBLIC SAFETY COMMUNICATIONS SYSTEM;
7 DISPATCH; INVENTORY; DESIGN

8 (a) The General Assembly finds that protecting public safety and welfare is
9 an essential function of State government and it is in the public interest to
10 establish a statewide reliable, secure, and interoperable public safety
11 communications system, comprising integrated 911 call-taking and regional
12 dispatch systems, and to ensure that the system is equitably and sustainably
13 financed and universally accessible by all persons throughout the State.

14 (b) It is not the intent of the General Assembly to establish a public safety
15 communications system that disrupts or in any way jeopardizes the exceptional
16 dispatch services currently in place or the existing 911 system, but rather to
17 support, enhance, strengthen, and build upon those efforts and initiatives.

18 (c) The transition to a public safety communications system as specified in
19 subsection (a) of this section shall be overseen and managed by the temporary
20 Public Safety Communications Task Force established in subsection (d) of this
21 section.

22 (d)(1) There is established a Public Safety Communications Task Force to
23 oversee and manage all phases of the development, design, and

1 implementation of a statewide public safety communications system as
2 required by this section.

3 (2) The Task Force shall consist of seven members as follows:

4 (A) the Executive Director of the Enhanced 911 Board, who shall
5 serve as Co-Chair;

6 (B) the Commissioner of Public Safety or designee, who shall serve
7 as Co-Chair;

8 (C) one municipal officer appointed by the Executive Director of the
9 Vermont League of Cities and Towns;

10 (D) one representative from a public safety answering point overseen
11 by a municipal police department appointed by the Vermont Association of
12 Chiefs of Police;

13 (E) one emergency medical technician or paramedic appointed by the
14 Vermont State Ambulance Association;

15 (F) one firefighter appointed by the Vermont Career Fire Chiefs; and

16 (G) the Chair of the Regional Dispatch Working Group established
17 by the General Assembly in Act 185 of 2022.

18 (3) At its initial organizational meeting the Task Force shall elect from
19 among its members a vice chair. Meetings may be held at the call of a Co-
20 Chair or at the request of two members. A majority of sitting members shall
21 constitute a quorum, and action taken by the Task Force may be authorized by

1 a majority of the members present and voting. Except for those members
2 regularly employed by the State, the compensation of members of the Task
3 Force is that provided in 32 V.S.A. § 1010(a). All members, including
4 members otherwise regularly employed by the State, shall receive their actual
5 and necessary expenses when away from home or office upon their official
6 duties pursuant to this section. A vacancy shall be filled by the respective
7 appointing authority. If the Chair of the Regional Dispatch Working Group
8 declines to participate as a member of the Task Force, the Task Force shall
9 appoint one member who shall have expertise relevant to the purposes of this
10 section.

11 (4) The Task Force is authorized to retain a project manager and one or
12 more additional consultants with relevant expertise in public safety
13 communications technology, design, and financing to assist with the
14 requirements of this section.

15 (5) The Department of Public Safety shall provide the Task Force with
16 administrative services and support.

17 (6)(A) The Task Force, in consultation with the Secretary of
18 Administration, shall develop procedures and best practices for State agency
19 cooperation and coordination on matters of overlapping jurisdiction. The
20 primary purpose of this subdivision is to ensure the Task Force has access to
21 expertise and data related to its mission, including expertise within and data

1 maintained by the Department of Public Service, the Agency of Digital
2 Services, the Division of Emergency Preparedness, Response and Injury within
3 the Department of Health, the Department of Taxes, and the Agency of
4 Transportation.

5 (B) Nothing in this subdivision shall be construed to waive any
6 privilege or protection otherwise afforded information by law due solely to the
7 fact that the information is shared with the Task Force pursuant to this
8 subdivision.

9 (7) All meetings of the Task Force shall be open to the public and
10 conducted in accordance with the Vermont Open Meeting Law. All records of
11 the Task Force are subject to the Vermont Public Records Act.

12 (8) The Task Force shall cease to exist when a State entity authorized by
13 legislative enactment to permanently oversee and manage the public safety
14 communications system becomes operational.

15 (e) The establishment of a statewide public safety communications system
16 shall occur in essentially three phases, which include data collection and
17 analysis, design, and implementation. Certain aspects of each phase may occur
18 simultaneously as deemed appropriate by the Task Force.

19 (1) Data collection and analysis. On or before September 15, 2024, the
20 Task Force shall conduct a complete inventory and assessment of all aspects of
21 dispatch service currently provided in Vermont and, to the extent possible,

1 dispatch service currently provided outside Vermont for response agencies
2 located in Vermont, which shall include:

3 (A) an inventory of all existing dispatch infrastructure and
4 equipment, including facilities, hardware, software, applications, and land
5 mobile radio systems, referring to and incorporating any existing relevant data
6 collected by a State or municipal entity;

7 (B) the number of full-time and part-time personnel currently
8 performing dispatch service, taking into account personnel who have other
9 responsibilities in addition to providing dispatch service;

10 (C) the current total spending on dispatch service in Vermont that
11 includes and itemizes for each municipality and dispatch center all federal,
12 State, and municipal appropriations and fees, every contract for dispatch or
13 first responder service, and projected budgets;

14 (D) to the extent feasible, identification of the communications dead
15 zones in the State, meaning those areas that lack the infrastructure to support
16 public safety land-mobile-radio communications or cellular voice and data
17 service, or both, and taking into consideration all cell towers that are part of the
18 FirstNet statewide public safety radio access network; cellular mapping efforts
19 conducted by the Department of Public Service; and any existing, relevant
20 mapping data collected by a dispatch center or other entity;

1 (E) with the assistance of the Vermont League of Cities and Towns, a
2 needs assessment to determine where and to what extent there are gaps in
3 dispatch service or significant challenges to the delivery of dispatch service
4 and to identify those municipalities that are likely to be most affected by either
5 the curtailment of dispatch service from the two State-run public safety
6 answering points or from a new financing mechanism for the continuation of
7 such service;

8 (F) an assessment of the service provided by each dispatch center and
9 identification of particular challenges or vulnerabilities, if any, including with
10 regard to workforce, failover procedures, communications technology, costs,
11 and governance; and

12 (G) collection and assessment of any other information the
13 Commissioner deems relevant.

14 (2) Design. On or before January 15, 2024, the Commissioner shall
15 develop findings and recommendations related to draft elements of a
16 preliminary design for a public safety communications system, including
17 identification of a proposed implementation timeline and any additional data
18 and resources needed to develop a final design on or before December 15,
19 2025. The final design shall include:

1 (A) technical and operational standards and protocols that ensure an
2 interoperable and resilient system that incorporates computer-aided dispatch
3 systems and land mobile radios;

4 (B) technology life-cycle standards to ensure system and database
5 upgrades are timely, sufficiently financed, and properly managed;

6 (C) system and database security and cybersecurity standards;

7 (D) continuity of operations standards and best practices that
8 encompass failover procedures and other system redundancies to ensure the
9 continuous performance of mission-critical operations;

10 (E) workforce training standards and other staffing best practices that
11 support the retention and well-being of dispatch personnel;

12 (F) a resource allocation plan that ensures dispatch service is
13 available in all regions of the State, including the establishment of new
14 dispatch centers or expanded capacity and capability of existing dispatch
15 centers, if deemed appropriate by the Task Force;

16 (G) a process for annually reviewing the budgets of dispatch centers;

17 (H) a recommended governance model to ensure effective State and
18 regional oversight, management, and continuous improvement of the system,
19 including identification of staffing or operational needs to support such
20 oversight and management of the system;

1 (I) cost estimates for implementing the system in Vermont, including
2 operational and capital costs;

3 (J) options for sustainably and equitably financing the public safety
4 communications system, taking into consideration:

5 (i) existing budgets for regional and local dispatch;

6 (ii) the population, grand list, and call volume of each
7 municipality;

8 (iii) existing and potential State funding streams;

9 (iv) available federal funding opportunities for public safety
10 agencies and emergency communications systems, including equipment,
11 network infrastructure, and services; and

12 (v) financing models adopted in other jurisdictions for public
13 safety communications systems; and

14 (K) any other standards or procedures deemed necessary or
15 appropriate by the Task Force.

16 (f) If the Task Force determines that sufficient minimum technical and
17 operational standards have been developed to warrant the funding of one or
18 more pilot projects in geographical areas of the State that presently face
19 significant challenges with respect to reliably providing dispatch service, the
20 Task Force may submit a pilot project proposal to the Joint Fiscal Committee
21 in calendar year 2023. The proposal shall include a description of each

1 proposed project, the resources needed, and an explanation of how the project
2 will align with, inform, and further the development of a statewide public
3 safety communications system. The Joint Fiscal Committee is authorized to
4 approve up to \$4,500,000.00 for pilot projects authorized by this subsection.

5 (g) On or before January 15, 2024, the Task Force shall submit a progress
6 report on the data collection and analysis required by subdivision (e)(1) of this
7 section, the findings and recommendations required by subdivision (e)(2) of
8 this section, and a description of any pilot projects funded pursuant to
9 subsection (f) of this section in a written report to the Senate Committees on
10 Government Operations and on Finance and the House Committees on
11 Government Operations and Military Affairs, on Ways and Means, and on
12 Environment and Energy.

13 Sec. C.113. 2022 Acts and Resolves No. 185, Sec. B.1100 is amended to read:

14 Sec. B.1100 FISCAL YEAR 2023 ONE-TIME GENERAL FUND

15 APPROPRIATIONS

16 * * *

17 (b) \$11,000,000 is appropriated from the General Fund to the
18 Department of Public Safety for regional dispatch funding. The funds are
19 subject to the following conditions:

20 (1) ~~\$4,500,000 shall be held in reserve until the report required by~~
21 ~~Sec. E.209.1 of this act is submitted and further approval to expend the funds is~~

1 ~~granted by the General Assembly~~ Up to \$1,000,000 shall be available for the
2 retention of technical experts to assist the Task Force with the analysis and
3 planning required by Sec. C.112 of this act and to fund the administrative
4 expenses incurred by the Public Safety Communications Task Force. If the
5 Task Force determines in calendar year 2023 that additional funding is
6 necessary to achieve its purposes, it may submit a request to the Joint Fiscal
7 Committee. The Joint Fiscal Committee is authorized to approve up to an
8 additional \$1,000,000.

9 (2) ~~\$6,500,000 to provide grants to regional dispatch facilities upon~~
10 ~~approval of the Joint Fiscal Committee subsequent to review of a Regional~~
11 ~~Dispatch Facility grant plan submitted by the Commissioner of Public Safety.~~
12 ~~The plan shall include the extent to which federal funding sources may be~~
13 ~~available for regional dispatch~~ Up to \$4,500,000 shall be available to provide
14 funding for pilot projects pursuant to Sec. C.112, subsection (f), of this act.

15 (3) Any remaining amounts not obligated pursuant to subdivisions
16 (1) and (2) of this subsection (b) shall be held in reserve until approval to
17 expend the funds is authorized by further enactment of the General Assembly.

18 (4) It is the intent of the General Assembly that the Department of
19 Public Safety seek to draw and deploy the \$9,000,000 in Congressionally
20 Directed Spending to support Vermont’s transition to a modernized, regional
21 communications network in a manner that coordinates with and advances the

1 goals of a statewide public safety communications system. The Commissioner
2 of Public Safety shall consult with the Public Safety Communications Task
3 Force as the federal parameters for expending the funds become available and
4 as the Commissioner develops a plan to expend such funds. In addition, the
5 Commissioner shall update the Joint Fiscal Committee on planned
6 expenditures.

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8 **Sec. C.113a. VERMONT UNIVERSAL SERVICE FUND; JOINT FISCAL**
9 **OFFICE STUDY**

10 On or before January 15, 2024, the Joint Fiscal Office shall analyze options
11 for changing the financing mechanism for the Vermont Universal Service Fund
12 to ensure the long-term sustainability of the programs funded through the
13 VUSF, including the Enhanced 911 system. The JFO may consider and further
14 refine the analysis and recommendations included in the Secretary of
15 Administration's report related to the funding of Enhanced 911 operations,
16 dated January 15, 2022, and required by 2021 Acts and Resolves No. 74, Sec.
17 E.235.

18 **Effective on passage.**